

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** Chairman Bob Lake, on March 26, 2009 at 8:00 A.M.,  
in Room 152 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Bob Lake, Chairman (R)  
Rep. Jill Cohenour, Vice Chairman (D)  
Rep. Janna Taylor, Vice Chairman (R)  
Rep. Dick Barrett (D)  
Rep. Mark Blasdel (R)  
Rep. Edward B. Butcher (R)  
Rep. Wanda Grinde (D)  
Rep. Robin Hamilton (D)  
Rep. Brian Hoven (R)  
Rep. Mike Jopek (D)  
Rep. Dave McAlpin (D)  
Rep. Mike Miller (R)  
Rep. Art Noonan (D)  
Rep. JP Pomnichowski (D)  
Rep. Lee Randall (R)  
Rep. J. David Roundstone (D)  
Rep. Jon Sonju (R)  
Rep. Wayne Stahl (R)  
Rep. Chas Vincent (R)  
Rep. Brady Wiseman (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Jeff Martin, Legislative Branch  
Jennifer O'Loughlin, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 675, 3/23/2009

Executive Action: HB 658

**HEARING ON HB 675**

**Opening Statement by Sponsor:**

00:02:19 Rep. Brady Wiseman (D), HD 65, opened the hearing on  
HB 675, Education energy trust fund to replace  
statewide school mills.

**EXHIBIT**(tah67a01)

**Proponents' Testimony:**

00:19:17 Bob Decker, The Policy Institute

**EXHIBIT**(tah67a02)

00:30:44 Rep. Mike Phillips, HD 66

**Opponents' Testimony:**

00:33:16 Dave Galt, Montana Petroleum Association

**EXHIBIT**(tah67a03)

00:38:58 Bruce Williams, Fidelity Exploration and Production  
Company

00:42:28 Patrick Montalban, Northern Montana Oil and Gas  
Association

**EXHIBIT**(tah67a04)

00:46:58 Gail Abercrombie, Former Executive Director, Montana  
Petroleum Association

**EXHIBIT**(tah67a05)

00:56:09 William Duffield, Montana Association of Oil, Gas and  
Coal Producing Counties

01:00:55 Tom Ebzery, Devon Energy

01:02:49 Alan Olson, Former State Representative

01:03:52 Jon Bennion, Montana Chamber of Commerce

01:05:44 Cory Swanson, Encore Oil

01:06:09 Mary Whittinghill, Montana Taxpayers Association

01:06:33 Don Allen, Western Environmental Trade Association

01:07:31 Gary Amestoy, Richland County Commissioners; Richland  
County Development Corporation

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:08:24 Rep. Cohenour  
01:08:47 Mr. Decker  
01:09:55 Rep. Butcher  
01:10:38 Mr. Decker  
01:11:52 Rep. Barrett  
01:13:00 Mr. Decker

**Closing by Sponsor:**

01:14:38 Rep. Wiseman  
01:16:35 Chairman Lake closed the hearing.

**EXECUTIVE ACTION ON HB 658**

01:17:21 **Motion:** Rep. Jopek moved that **HB 658 DO PASS.**

**Discussion:**

01:17:36 Rep. Barrett  
01:17:57 Mr. Martin

01:19:07 **Motion:** Rep. Barrett moved that **HB 658 BE AMENDED.**  
**EXHIBIT (tah67a06)**

**Discussion:**

01:19:21 Rep. Barrett  
01:21:45 Rep. Wiseman and Rep. Miller left the room.  
01:23:46 Mr. Martin  
01:24:13 Rep. Barrett  
01:24:27 Chairman Lake  
01:24:35 Rep. McAlpin  
01:24:47 Rep. Barrett  
01:25:31 Rep. Cohenour  
01:27:38 Rep. Stahl  
01:30:51 Rep. Hoven  
01:32:40 Rep. Cohenour  
01:34:26 Chairman Lake

01:35:24 **Vote:** Motion failed 9-11 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. McAlpin, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting aye. Rep. Miller and Rep. Wiseman voted by proxy.

01:37:51 **Motion:** Rep. Jopek moved that **HB 658 BE AMENDED.**  
**EXHIBIT (tah67a07)**

**Discussion:**

01:38:00 Rep. Jopek  
01:42:40 Rep. Hoven  
01:43:18 Mr. Martin  
01:45:12 Rep. Barrett  
01:46:15 Rep. McAlpin  
01:46:32 Mr. Martin  
01:47:14 Rep. Jopek  
01:48:22 Rep. Hoven  
01:49:10 Rep. Taylor  
01:49:31 Mr. Martin  
01:49:39 Rep. Taylor  
01:49:51 Rep. Jopek  
01:50:43 Rep. Taylor  
01:51:59 Mr. Martin  
01:52:18 Rep. Taylor  
01:52:26 Rep. Cohenour  
01:52:37 Rep. Jopek  
01:53:30 Rep. Cohenour  
01:53:40 Rep. Jopek  
01:54:02 Rep. Cohenour  
01:54:15 Rep. Jopek  
01:54:42 Rep. Cohenour  
01:54:45 Rep. Jopek  
01:54:54 Rep. Cohenour  
01:55:08 Chairman Lake  
01:55:13 Dan Bucks, Director, Department of Revenue (DOR)  
  
01:55:50 Break  
02:05:07 Reconvene  
Rep. Butcher, Rep. Noonan and Rep. Vincent did not  
return to the room.  
  
02:05:29 Rep. Cohenour  
02:05:44 Mr. Bucks  
**EXHIBIT (tah67a08)**  
02:06:26 Chairman Lake  
02:06:45 Mr. Bucks  
02:08:20 Rep. Cohenour  
02:08:47 Mr. Bucks  
02:09:41 Rep. Jopek  
02:10:20 Mr. Martin

02:10:50 Rep. Jopek modified his motion that HB 658 be amended so that technical changes could be included in the amendment.

02:11:04 Mr. Martin

02:12:09 Chairman Lake

02:12:34 **Vote:** Motion carried 11-9 by roll call vote with Rep. Barrett, Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. McAlpin, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, and Rep. Wiseman voting no. Rep. Butcher, Rep. Miller, Rep. Noonan, Rep. Vincent, and Rep. Wiseman voted by proxy.

02:14:35 Rep. Butcher and Rep. Vincent returned to the room.

02:15:29 **Motion:** Rep. Blasdel moved that **HB 658 BE AMENDED. EXHIBIT (tah67a09)**

**Discussion:**

02:16:00 Mr. Martin

02:16:47 Rep. Blasdel

02:17:44 Rep. Jopek

02:18:40 Rep. Hoven

02:19:05 Rep. Pomnichowski

02:19:26 Rep. Taylor

02:19:46 Mr. Martin explained that this amendment, if passed, would be inserted in Title 15, Subsection 6, after Tax Rate.

02:20:27 Rep. Taylor

02:20:39 Rep. Barrett

02:21:19 **Vote:** Motion carried 18-2 by voice vote with Rep. McAlpin and Rep. Stahl voting no. Rep. Miller, Rep. Noonan and Rep. Wiseman voted by proxy.

02:21:39 **Motion/Vote:** Rep. Jopek moved that **HB 658 DO PASS AS AMENDED.** Motion carried 11-9 by roll call vote with Rep. Barrett, Rep. Grinde, Rep. Hamilton, Rep. Noonan, Rep. Pomnichowski, Rep. Randall, Rep. Sonju, Rep. Stahl, and Rep. Wiseman voting no. Rep. Miller, Rep. Noonan and Rep. Wiseman voted by proxy.

02:24:24 Chairman Lake

**ADJOURNMENT**

02:25:06 Adjournment: 10:30 A.M.

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Jennifer O'Loughlin, Secretary

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Additional Documents:

**EXHIBIT ([tah67aad.pdf](#))**